

**Special and Regular Meeting of April 10, 2012
City Council Chambers, One Twin Pines Lane**

SPECIAL MEETINGS

CLOSED SESSION – 6:40 P.M.

A. Conference with Labor Negotiator, Greg Scoles, pursuant to Government Code Section 54957.6: (AFSCME, MMCEA)

Attended by: Councilmembers Feierbach, Wozniak, Warden, Lieberman, Braunstein, City Manager Scoles, City Attorney Rennie, Public Works Director Oskoui, Human Resources Director Dino, Finance Director Fil, Fire Chief Fry, and Labor Consultant Doughtie. Deputy City Clerk Plut was excused from attending.

ADJOURNMENT at this time being 7:00 P.M.

**Jozi Plut
Deputy City Clerk**

This meeting was not tape recorded or videotaped

REGULAR MEETING

CALL TO ORDER – 7:45 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Wozniak, Braunstein, Warden

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Scoles, City Attorney Rennie, Police Captain DeSmidt, Community Development Director de Melo, Finance Director Fil, Public Works Director Oskoui, Human Resources Director Dino, Parks and Recreation Director Gervais, Deputy Finance Director Lazzari, City Treasurer Violet, Technology Specialist Smith, Deputy City Clerk Plut

PUBLIC COMMENTS AND ANNOUNCEMENTS

Kathleen Beasley, Belmont Library Manager, announced that the week of April 9th was National Library Week. She invited members of the Belmont community to take part in a digital storytelling project to share their stories which will be recorded and digitized. She noted that Mayor Warden and other Councilmembers have participated. She stated that part of the project is a documentary on the making of the new library of which screenings will be shown various times during the coming week.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Wozniak announced that she is in support of AB 1455 High Speed Rail Lemon Law which if passed would repeal Proposition 1A and eliminate funding for the High Speed Rail. She encouraged Councilmembers to also support it.

Mayor Warden encouraged Belmont residents to attend NDNU's (Notre Dame de Namur) production of Our Town.

AGENDA AMENDMENTS

Councilmember Wozniak requested the removal of Consent Item 4-H (Resolution Authorizing the Filing of a San Mateo County Shuttle Program Grant Application for Fiscal Year) and Item 4-I (Resolution Authorizing Issuance of a Purchase Order to COMPUCOM Systems, Inc.) for separate consideration.

ITEMS APPROVED CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of March 13, 2012

Motion to Receive Monthly Financial Reports

Approval of 2012-035 Authorizing the City Manager to Execute a Professional Services Agreement with RCC Consultants not to exceed \$7,765 to evaluate Sprint proposal to install telecommunication facilities at 550 Island Parkway (Applicant Funded Study)

Approval of Resolution 2012-036 Approving Specifications, Authorizing Advertisement and Award of a Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$60,000, and Authorizing the City Manager to Execute a Contract for the City's Annual Sewer Main Root Foaming

Approval of Resolution 2012-037 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount Not to Exceed \$138,000, Approving a Construction Contingency Not to Exceed \$20,700, and Authorizing the City Manager to Execute a Contract for the Cipriani Dog Park Improvement Project, City Contract Number 513

Approval of Resolution 2012-038 Authorizing the City Manager to Enter into Supplemental Professional Services Agreements (PSA) with LSA Associates, Inc. for an Amount not to Exceed \$16,000 and Grassetti Environmental Consulting, Inc. for an Amount not to Exceed \$14,000 to Evaluate the Monte Cresta Roadway Extension Project (Applicant Funded Study)

Approval of Resolution 2012-039 Authorizing Audit Services Agreement Amendment for Fiscal Year 2012

ACTION: on a motion made by Councilmember Feierbach, seconded by Councilmember Wozniak the Consent Agenda was unanimously approved, as amended, by a show of hands.

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION

Resolution Authorizing the Filing of a San Mateo County Shuttle Program Grant Application for Fiscal Year 2013/2014 with the City/County Association of Governments of San Mateo County (C/CAG) for a Total Maximum Amount of \$112,500

Public Works Director Oskoui stated that there is \$7 million of Proposition A monies that have been allocated to this Grant Program for the next two years. He stated that criteria for the application includes service to areas of low-to-moderate income, and to those that are transit-dependent, to hubs of transportation and businesses in a community. He explained that in Belmont the shuttle would service areas east of Alameda de las Pulgas along Ralston Avenue

and El Camino Real. He noted that staff is working with the Chamber of Commerce to secure the 25 percent matching funds.

In response to Council questions, Public Works Director Oskoui explained that due to constraints imposed by SanTrans, the route cannot be changed to service areas west of Cipriani Boulevard. He stated that service hours will be set for peak travel time accommodating commuters Monday through Wednesday with limited hours on Saturdays.

George Burgess, Chamber of Commerce expressed his support to extend operation hours of the shuttle past 6:00 p.m. to accommodate the business community and patrons to local restaurants. He stated that the Chamber is committed to raising the required 25 percent matching funds for the service.

ACTION: on a motion made by Councilmember Wozniak and seconded by Councilmember Lieberman Resolution 2012-040 Authorizing the Filing of a San Mateo County Shuttle Program Grant Application for Fiscal Year 2013/2014 with the City/County Association of Governments of San Mateo County (C/CAG) for a Total Maximum Amount of \$112,500 was unanimously approved by a show of hands.

Resolution Authorizing Issuance of a Purchase Order to COMPUCOM Systems, Inc. in the amount of \$23,953.30 for the Fifth Installment of a Five Year Microsoft Enterprise Agreement

In response to Councilmember Wozniak's questions, Technology Specialist Smith clarified that this is the fifth and final payment to the agreement entered into in June of 2008. Information Services Director Harnish noted that this agreement is for the operating systems and desktop software Microsoft Suite and does not include other program software utilized by the City. She stated that staff will be contacting other vendors for the best pricing for a new service agreement.

ACTION: on a motion made by Councilmember Wozniak and seconded by Councilmember Feierbach Resolution 2012-041 Authorizing Issuance of a Purchase Order to COMPUCOM Systems, Inc. in the amount of \$23,953.30 for the Fifth Installment of a Five Year Microsoft Enterprise Agreement was unanimously approved by a show of hands.

OLD BUSINESS

One-Year City Council Review of Sign Ordinance – Sections 23 (Sign Regulations) and 23A (Sign Standards for Public Property)

Community Development Director de Melo provided a brief background on the adoption of the sign ordinance which went into effect approximately a year ago. He stated that the new ordinance was changed in order to be constitutionally accurate and to address outdated terms and provide streamlining by which sign ordinance issues are addressed. He noted that it consolidated sign regulations within the zoning ordinance and ensured consistency within zoning districts. He explained that the new ordinance removed some obsolete language as it related to political signs, and better defined regulations for temporary signage and updated regulations for billboards, and created specific language for signage in the future Belmont Village Zoning District.

Community Development Director de Melo outlined the application of the new ordinance during the past year and added that it provided for increased use of the City's banner poles. He stated that some general concerns were received from the real estate community as it relates to the prohibition of open house signs in the public right-of-way. He noted that public outreach was provided to Belmont businesses and the real estate community at the onset of the new ordinance. As a result, San Mateo County Association of Realtors (SMCAR) requested that the ordinance be reviewed to recognize the industry standard of the four square feet for open house signs.

Community Development Director de Melo noted that the City has taken a reactive approach to the new sign ordinance to allow voluntary compliance to the ordinance. He stated that code enforcement has taken action on a number of non-compliance issues for signs in the public right-of-way. He suggested making some modifications to the ordinance.

In response to Council questions, Community Development Director de Melo stated that the request to increase the realtor signs to four square feet is not a substantial change. He stated that currently three directional signs are allowed for open house events placed outside of the public right-of-way.

Discussion ensued regarding enforcement of open house signs in the public right-of-way.

Community Development Director de Melo stated that the dissolution of the Redevelopment Agency has resulted in changes in the code enforcement program. He noted that code enforcement will be consolidated with the police department by providing additional resources and personnel to provide weekend enforcement of the ordinance. He noted that a status update on the code enforcement program will be addressed during the coming weeks and will provide an opportunity for the City Council to modify the approach to code enforcement as it relates to the sign ordinance.

Elena Franzoia, Owner of Ralston Florist, stated that the sign that stands outside her store is necessary for the survival of her business. She noted that the sign helps draw attention to her store. She stated that the sign that was recommended to her by the code enforcement officer is not functional enough and too costly.

Paul Stewart, San Mateo County Association of Realtors (SMCAR), encouraged the City Council to support amending the code to increase realtor sign allowance to four square. He noted that SMCAR members have been notified of the changes in the ordinance and were asked to comply.

Stephanie Biehl, on behalf of Theater and Dance of Notre Dame de Namur University, read a letter from Michael Elkins outlining the effects of the sign ordinance on the Universities Performing Arts Program. She stated that attendance to performances including the Christmas Carol Gala has suffered.

Community Development Director de Melo clarified that he has been in contact with Mr. Elkins and as a result the University will be applying for a temporary banner permit which will allow up to 60 calendar days of advertising.

Mary Morrissey Parden, Belmont Chamber of Commerce, questioned the effects of proactive and reactive enforcement of the ordinance, and noted that there has not been enough done either way. She stated that the Chamber supports allowing up to 25 percent coverage of windows for signs. She noted that temporary signs at public schools are in violation of the ordinance.

Drew Morgan, Realtor, stated that his sign was removed and he questioned what is considered the public right-of-way. He noted that some signs are given more latitude than others. He stated that he is in support of increasing the number of directional signs allowed by the current ordinance.

Adele Della Santina, Realtor, stated that business is stimulated when signs are allowed to advertise their business. She questioned the methods used by the code enforcement officer.

Val Vandervort, Realtor, expressed support for a compromise of a smaller sign if it would be allowed on public right-of-way. She stated that there are areas where private land is not available for placement of a sign. She noted that it is a minimal amount of time that the signs are out and that they should be able to run their small business not unlike any other in the City.

Discussion ensued regarding changes in other cities' sign ordinances and affects on the real estate business.

Councilmember Feierbach stated that she does not support any changes to the current sign ordinance other than changing the size requirement for realtor signs to conform to standard. She noted that code enforcement has not done enough.

Councilmember Wozniak stated that she supports the current sign ordinance and the proposed change in the size requirement for realtor signs. She also supports the addition of language that would clearly define the public right-of-way. She noted that a review of the ordinance in six months is sufficient.

Councilmember Braunstein stated that although the focus of complaints has been real estate signs, he noted that if enforcement was changed from reactive to proactive, other issues would arise. He supports the current ordinance with the recommendations relative to change of size and number of real estate signs, and recommends that the ordinance be reviewed in a year to address other issues that have not been fully vetted.

Councilmember Lieberman stated that the ordinance provides a balance between beautification of the City and the needs of businesses. He noted that caution needs to be taken in regards to signs in right-of-way. He stated that he supports discretion on directional signs and another one-year review.

Discussion ensued regarding code enforcement of the sign ordinance.

Mayor Warden stated that he does not want to impede on the success Belmont businesses but wants to provide for constancy. He stated that the revised ordinance has been effective. He noted that the intent of the ordinance is to keep signs out of the public right-of-way. He noted that the

City has not heard enough from the business community and would recommend reviewing the ordinance in one year.

Council concurred as follows: 1) 2'x2' Real Estate Signs can remain, 2) allow four directional signs rather than three, 3) increase the size of realtor A-frame signs to four square feet, 4) review the ordinance in one year, and 5) no A-frame signs are allowed in the public right-of-way. Council also concurred to leave the maximum 15 percent window coverage in place at this time.

Following further discussion, Council concurred to have staff return to City Council within three months to provide examples of window coverage at various percentages for potential revision of the ordinance.

NEW BUSINESS

FY13 Strategic Planning: (i) Budget Kickoff (ii) Priority Calendar Discussion (iii) Capital Planning

Finance Director Fil introduced the budget development planning process which includes the budget of trends of the City's financial activities, Council Priorities, and Capital Planning.

Deputy Finance Director Lazzari provided a recap of the current year's budget. She noted that the Reserve Policy was increased to \$2.5 million from \$2 million. She stated that a line item budget was approved for the newly formed Belmont Fire Department but some legacy costs of the Belmont-San Carlos Fire Department remain unknown primarily related to Public Employees Retirement System (PERS) and retiree healthcare benefits. She explained that due to the Redevelopment District Agency (RDA) dissolution, various realignments and reductions to a number of City departments were necessary. She stated that office vacancy in the City is at twelve percent and improving. Finance Director Fil added that this number was once in the thirty percent range not long ago and noted that it is a positive indicator of future economic development in Belmont.

Deputy Finance Director Lazzari stated that median home prices which influence property taxes are rising but are still lower than the high in December of 2007. She stated that minimal increases to revenue are anticipated and sales tax has shown improvements. She noted that PERS rates continue to be a major expenditure and are anticipated to rise slightly this fiscal year. She indicated that the State budget does not provide for new monies for cities. She outlined Council Priorities accomplishments for FY 2012 which included the completion of the Children's Bridge, adoption of a Tree Ordinance, and Residential Design Guidelines.

Public Works Director Oskoui and Parks and Recreation Director Gervais outlined the Capital Planning Priorities. Public Works Director Oskoui stated that the City is addressing its aging infrastructure as well as stricter regulatory requirements related to the sewer and storm and other infrastructure assets. He noted that staff has discussed ways to better manage and track City assets. He explained that Capital Planning requires a complete inventory of assets and their condition, as well as the means to improve and sustain their condition, and sets priorities to achieve the best worth of monies spent. Parks and Recreation Director Gervais added that a policy is needed to focus on projects that are of highest priority and lead to the greatest good for the community.

Mayor Warden noted that there is much information to discuss prior to budget discussions and suggested more time be allocated to the upcoming workshop meeting.

Councilmember Wozniak encouraged staff to look to the future when planning the FY 2013 budget. She stated that organizational changes are necessary to address how business is conducted.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Feierbach stated that she and Community Development Director de Melo attended a meeting sponsored by Assemblymember Hill regarding a proposal to add stadium lights to the Carlmont High School Football Field. She announced that the first meeting of the Oversight Board was held the previous day and she invited the public to subsequent meetings.

Discussion ensued regarding the Oversight Board.

Community Development Director de Melo stated that the City of San Carlos will be conducting a traffic study, and Belmont will have an opportunity to comment on it.

Councilmember Wozniak stated that she will be regularly attending the Regional Housing Needs Analysis (RHNA) meetings. She reported that the Peninsula Cities Consortium (PCC) on High Speed Rail (HSR) recently met to discuss the blended system to support both Caltrain and HSR.

Councilmember Lieberman reported that the South Bayside System Authority (SBSA) meeting has been moved and he will not be able to attend. He will coordinate with staff to provide an alternate to attend in his place.

Verbal Update on Single Use Bag and Polystyrene Ordinances

Community Director de Melo stated that the City is tracking the actions of San Mateo County Health Department in regards to preparing their model ordinance on Single Use Bags that would include 24 cities in San Mateo and Santa Clara Counties. He noted that the County is projecting an adoption of the ordinance in early fall of 2012. He stated that a notice for preparation of an Environmental Impact Report (EIR) has been submitted with a comment period of thirty days beginning April 6, 2012. He explained that the City will look to this ordinance as an opportunity to adopt by reference and will begin outreach to the public.

He stated that San Mateo County adopted a Polystyrene Ordinance in 2011 and the City of Belmont intends to adopt it by reference. He noted that two outreach sessions will take place for the business community on May 2nd and he plans to bring the ordinance to Council for adoption in June of 2012.

In response to Councilmember Wozniak's question, Community Development Director de Melo stated that the goal is to provide as much public outreach as necessary to inform the public of the upcoming adoption of the Single Use and Polystyrene Ordinances.

Verbal Report from City Manager

City Manager Scoles announced the upcoming Safeway public outreach meeting which will focus on Safeway's proposed expansion plan. He stated that Council will hold a Priority Setting Workshop on April 24. He noted that new in-road lighting was installed on Ralston Avenue at Elmer Street. He stated that the City did not qualify for a Proposition 84 Grant for the Davey Glen Park he noted that \$180 million was awarded from over \$1 billion worth of applications.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Televising All Commission Meetings (Warden)

Mayor Warden stated that he supports televising all commission meetings. He noted that video archives are a useful tool for follow-up discussions on topics that come before the Commissions or Council.

Council concurred.

Treasurer Violet suggested the topic be added to the upcoming workshop agenda and include it in the FY 2013 budget planning.

ADJOURNMENT at this time, being 10:30 P.M.

Jozi Plut
Deputy City Clerk

Meeting audio-recorded and videotaped
Audio Recording 815